

REMARKS/ARGUMENTS

Claims 1-29 are currently pending, although claims 11-19 and 24-29 have been withdrawn from consideration. Upon indication of allowable subject matter, Applicants currently intend to seek appropriate rejoinder of the withdrawn claims, all of which ultimately depend from claim 1. See, MPEP 821.04.

Claim 1 is amended to define the substrate as a glass substrate (see page 7, lines 322-34), that the plasma comprises predominantly oxygen (see pages 10 and 11) and to define that the surface after the subjecting to plasma is suitable for multilayer coating deposition (see page 14, for example).

No new matter is added.

Applicants thank Examiner Coleman for the courtesy of discussing this case with their undersigned representative on October 20, 2010. During this meeting, the Examiner's rejection that the plasma excluding argon as presented in the last amendment is not properly supported in the specification. Applicants disagree as under U.S. law the specification need not describe the invention in *ipsis verbis* to comply with a written description requirement. All that is required is whether the originally filed specification disclosure *reasonably* conveys to a person having ordinary skill that Applicant had possession of the subject matter later claimed. In view of the fact that the specification clearly teaches that argon is to be avoided and oxygen is to be used, the limitation in question is supported. Nonetheless, the rejection is no longer applicable as the claims have been amended to recite that the plasma comprises predominantly oxygen, support for which has been already recognized (see page 2 of the Action). Withdrawal of the rejection is requested.

During the aforementioned meeting, the Examiner's obviousness rejections were also discussed and primarily the disclosure of U.S. 2003/0077402 to Amann *et al* that is cited in each of the rejections.

Amman teaches a system for depositing diamond like carbon films and discusses, in paragraph [0009], that a discharge in an oxygen-containing gas or pure oxygen can be used in a reactive cleaning cycle. The Examiner also cites to paragraph [0038] to teach the use of an ion beam source in the removal of carbon buildups. In the Examiner's view the primary deficiency in Amman is the lack of teachings to a gas mixture comprising predominantly oxygen but substantially no argon in the claims. See page 4, sections 8 and 9 in the Official Action. However, in view of the amended claims that defines that the substrate to which the plasma is subjected is a glass substrate, which has no relationship to a diamond like carbon material that is the subject of the Amman publication.

Further, in section 8 (on page 4 of the Official Action), the Examiner relies on paragraph [0029] to teach a collimated beam. While Amman does suggest the possibility of using a collimated beam or a diffuse beam in that section, those teachings are germane to the deposition of the diamond-like carbon films. Indeed, Amman has no disclosure that suggests that when the ion beam source is used to remove buildups that ion source is collimated as required in the claims nor to do so to a glass substrate.

Second and to the aspect of the gas mixture defined in the claims the Examiner's case rests on the disclosure in paragraph [0009] in Amman (see section 10 on page 4 and sections 13-14 on page 5 of the Official Action). Applicants disagree. The Examiner's finding that one of ordinary skill in the art would have been motivated to optimize the amount of oxygen assumes that one of ordinary skill in the art would have known how to do so and that this is a result-effective variable. Indeed, it is Applicants' discovery. Thus, the Examiner has not shown that the prior art was aware that gas compositions in the manner set forth in the claims

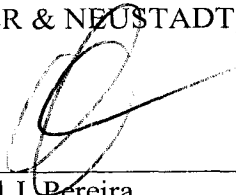
is a result-effective variable because primarily Amman is directed towards teachings of deposition not removal even if Amman suggests the possibility that removal of carbon buildups can be effectuated. See, .e.g., See also In re Antonie, 559 F.2d 618, 195 USPQ 6, 8-9 (CCPA 1977) (exceptions to rule that optimization of a result-effective variable is obvious, such as where the results of optimizing the variable are unexpectedly good or where the variable was not recognized to be result effective). See also Ex parte Whalen, 89 USPQ2d 1078 (Bd. Pat. App. & Int. 2008).

Reconsideration and withdrawal of both rejections is requested.

Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

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